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Oakdale Irrigation District leader: State wrong to restrict water to those with pre-1914 rights

OAKDALE – An order by the state that restricts water access for agencies with century-old water rights is unjustified and likely illegal, the general manager of the Oakdale Irrigation District said Friday.

Earlier in the day, the State Water Resources Control Board sent what are known as curtailment notices to OID and dozens of other water agencies whose water rights pre-date 1914, the year the state's permitting process began. The notices are part of the state's effort to deal with the four-year California drought.

"The state water board has never before curtailed pre-1914 water right holders. There is a reason for that – it does not have jurisdiction to issue, manage, oversee or curtail pre-1914 water rights," said Steve Knell, OID's top official.

Knell said OID and other senior rights holders are prepared to seek a stay in court to halt the state's action until a judge can make a final ruling. He claimed the curtailment notices harm senior rights holders in favor of junior rights holders that use the Delta to move water to the south. He also challenged the state's methodology and said there was no opportunity ahead of time for senior rights holders to appeal to the water board.

"The water board is using a bulldozer when it needs a scalpel," Knell said. "It does not have enough data and information to support this decision. It is based on estimates and unverified claims."

He called the action "hyper-regulatory management at its worst" and said water agencies in the San Joaquin River basin – which runs from Stockton to Fresno – have a long history of solving water shortages among themselves.

"We sent a letter offering this same simple cure to the State Board on April 10, 2015 and signed by all the senior water right holders on the San Joaquin River. No response," Knell said.

OID's water rights on the Stanislaus River date to 1909. It delivers irrigation water stored behind a series of dams to about 2,900 customers who farm about 60,000 acres in northeastern Stanislaus County and southeastern San Joaquin County.

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